

**APPROVED 10-6-08**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, September 8, 2008 at the Mildred A. Wakeley Community & Recreation Center in Room #2 at 7:00 PM.

**MEMBERS PRESENT:**

Dominic Palumbo, Chairman  
James J. Giulietti, Vice Chairman  
Vern Carlson  
Brian Cummings  
William O'Hare, Alternate, sitting for Douglas Roberts  
Antoinetta A. Carmody, Alternate

**MEMBERS ABSENT:**

Douglas Roberts, Secretary  
John Vanacore, Alternate

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Palumbo, Chairman, called the meeting to order at 7:00 PM. He introduced the Commissioners, alternates, town staff and the clerk. Mr. Palumbo explained the procedures for the public hearing. Mr. Palumbo stated that applications #P08-61S, #P08-48 and #P08-61 are postponed to the October 6, 2008 meeting.

**PUBLIC HEARING:**

Mr. O'Hare read the call for the first public hearing.

The Commission elected to hear applications #P08-60S and #P08-60 together.

1. #P08-60S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Jitendra Patel, Applicant, George Imperato, Owner, relative to 130 Middletown Avenue, (Map 7, Lot 2,). Plan Entitled: Proposed Liquor Store, 130 Middletown Avenue, North Haven, Connecticut, Dated August 8, 2008. Scale 1" = 20'. CB-20 Zoning District.

7. #P08-60 Site Plan Application of Jitendra Patel, Applicant, George Imperato, Owner, relative to 130 Middletown Avenue, (Map 7, Lot 2.). Plan Entitled: Proposed Liquor Store, 130 Middletown Avenue, North Haven, Connecticut, Dated August 8, 2008. Scale 1" = 20'. CB-20 Zoning District.

Attorney Greg Gallo with the Pellegrino Law Firm presented the application to permit the issuance of a Certificate of Location for the relocation of a retail package store from 85 Middletown Avenue to 130 Middletown Avenue. The applicant is also requesting to permit the change of use of this existing 6,190 square foot building from wholesale office to a retail package store. The Zoning Board of Appeals approved variances that will allow a front yard setback of 38' and a side yard setback of 3'.

Mr. Mark Papa, Landscape Architect, described the site, parking, landscaping, and lighting plans. He then reviewed the Land Use and Engineering comments with the Commission. The Commission asked questions and Mr. Papa responded. Mr. Jitendra Patel, applicant, stated that the building will be used as a liquor store only.

There being no public comment, the public hearing was closed.

2. #P08-61S Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of LTD Realty Associates, LLC, Owner and Applicant, relative to 319 Washington Avenue, (Map 85, Lot 4). Plan Entitled: Application of Louis Yaccarino, Jr., For Certificate of Approval For A Limited Repairer's License, Dated 2/8/08, rev. 7/31/08. Scale 1" = 20'. IL-30 Zoning District.

This application was postponed to the October 6, 2008 meeting

#### **SITE PLANS:**

3. #P08-48 Site Plan Application of Broadway Associates, Owner and Applicant, relative to 2 Broadway, (Map 67, Lot 19). Plan Entitled: Broadway Square, 2 Broadway, North Haven, CT, Proposed Office Building. Prepared by John Cruet, Jr., Architect & Planner, Dated 5-29-08. Scale 1" = 20'. CA-20 Zoning District.

This application was postponed to the October 6, 2008 meeting.

4. #P08-58 Site Plan Application of ProFlow, Inc., Applicant, 301-303 State Street Real Estate, LLC, Owner, relative to 301-303 State Street, (Map 43, Lot 12). Plan Entitled: Building Addition, ProFlow, Inc., #301 and #303 State Street, North Haven, Connecticut, Dated July 25, 2008. Scale 1" = 30'. IL-30 Zoning District.

Mr. Ron Hurlburt, engineer with Juliano Associates, presented the application to permit the rear addition of 6,000 square feet of manufacturing space to this approximately 18,200 square feet existing manufacturing building with 63 proposed parking spaces. Landscaping and curbing improvements are also being proposed. The applicant is requesting to waive sidewalks. The Commission asked questions and Mr. Hurlburt responded.

5. #P08-59 Site Plan Application of Timothy J. Lee, Applicant, Vincent and Carol Cangiano, Owners, relative to 85 Middletown Avenue, (Map 7, Lot 29). Plan Entitled: Site Development Plan for Proposed Rite-Aid Pharmacy Store #1033, Dated 1/18/08, rev. 7/28/08. Scale 1" = 30'. CB-20 Zoning District.

Attorney Nicholas Mingione with Fasano, Ippolito & Lee presented the application to reduce parking from the required 93 spaces to 76 spaces. This application is a modification of applications P08-35 and P08-51 that have been approved. Attorney Mingione stated that 8 parking spaces are proposed for the restaurant business located at this site and Rite-Aid Pharmacy would require 73 parking spaces for a total of 81 spaces. However, the applicant feels 76 parking spaces is adequate for this site. The Commission asked questions and Attorney Mingione responded.

6. #P08-61 Site Plan Application of LTD Realty Associates, LLC, Owner and Applicant, relative to 319 Washington Avenue, (Map 85, Lot 4). Plan Entitled: Application of Louis Yaccarino, Jr., For Certificate of Approval For A Limited Repairer's License, Dated 2/8/08, rev. 7/31/08. Scale 1" = 20'. IL-30 Zoning District.

This application was postponed to the October 6, 2008 meeting.

**BREAK: 7:46 – 7:55 PM**

**DELIBERATION SESSION:**

Mr. Carlson moved to go into deliberations; Mr. Cummings seconded the motion. All were in favor.

**PUBLIC HEARING:**

1. #P08-60S Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Jitendra Patel, Applicant, George Imperato, Owner, relative to 130 Middletown Avenue.

Mr. Carlson moved to approve the application; Mr. O'Hare seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti - aye Carlson – aye Cummings – aye O'Hare - aye

The application was approved.

7. #P08-60 Site Plan Application of Jitendra Patel, Applicant, George Imperato, Owner, relative to 130 Middletown Avenue,

Mr. Carlson moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Carlson – aye Cummings – aye O’Hare - aye

The application was approved with conditions.

**SITE PLANS:**

4. #P08-58 Site Plan Application of ProFlow, Inc., Applicant, 301-303 State Street Real Estate, LLC, Owner, relative to 301-303 State Street.

Mr. Giulietti moved to approve the application; Mr. Carlson seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Carlson– aye Cummings – aye O’Hare

The application was approved with conditions.

5. #P08-59 Site Plan Application of Timothy J. Lee, Applicant, Vincent and Carol Cangiano, Owners, relative to 85 Middletown Avenue.

Mr. Giulietti moved to approve the application; Mr. O’Hare seconded the motion.

Mr. Giulietti moved to amend the application to require 81 parking spaces and approval by Town staff; Mr. O’Hare seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Carlson– aye Cummings – aye O’Hare - aye

**INFORMAL PRESENTATION:** None

**OTHER:** None

**EXTENSIONS:**

#P08-28, 500 Middletown Avenue, Lexington Gardens

Mr. Cummings moved to approve a ninety (90) day extension for application #P08-28, 500 Middletown Avenue; Mr. O’Hare seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti - aye Carlson– aye Cummings – aye O’Hare - aye

## **BOND RELEASES & REDUCTIONS:**

#B92-4, 85 Washington Avenue

Mr. Carlson moved to release the bond for application #B92-4, 85 Washington Avenue, in the amount of \$5,000.00; Mr. Giulietti seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti - aye Carlson – aye Cummings – aye O’Hare - aye

#B99-46, 41 Stiles Lane

Mr. Carlson moved to release the bond for application #B99-46, 41 Stiles Lane, in the amount of \$750,000.00; Mr. Giulietti seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti - aye Carlson – aye Cummings – aye O’Hare - aye

## **CHANGE OF USE:**

118 Quinnipiac Avenue

Mr. Frank Martone, owner of the Wine Press, stated that he has approval from the State Liquor Commission and is requesting to use this building as a wine facility. The original use was wholesale distribution and the current use will be warehouse/winemaking. Renovations will be made inside the building only. Six thousand square feet only of this building will be used for this wine facility.

Mr. Carlson moved to approve the change of use for 118 Quinnipiac Avenue; Mr. Cummings seconded the motion. The Commission vote as follows:

Palumbo – aye Giulietti - aye Carlson – aye Cummings – aye O’Hare - aye

88 Old Broadway West

Mr. Lou Giangola presented the change of use application from a deli business to nail salon. QVHD stated that the applicant has to obtain zoning approval. Appropriate permits and QVHD approval are needed.

Mr. Carlson moved to approve the change of use for 88 Old Broadway from a office to a nail salon with QVHD approval; Mr. O’Hare seconded the motion. The Commission vote as follows:

Palumbo – aye Giulietti - aye Carlson – aye Cummings – aye O’Hare – aye

Mr. Palumbo asked for public comment.

Public comment:

- 1) Mr. Pat Nuzzolillo, 7 Mansfield Road, spoke in favor of the Change of Use for both the nail salon and the wine facility.

**CORRESPONDENCE:** None

**MINUTES:**

August 4, 2008

Mr. Carlson moved to approve the minutes of August 4, 2008; Mr. O'Hare seconded the motion. The Commission voted as follows:

Palumbo – aye Carlson - aye Cummings – aye O'Hare – aye

Mr. O'Hare moved to go out of deliberations; Mr. Giulietti seconded the motion. All were in favor.

**ADJOURN:**

There being no further business, Mr. Carlson moved to adjourn; Mr. O'Hare seconded the motion. The meeting was adjourned at 8:20 PM.